IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Plaintiff. : CIVIL ACTION v. : : NO. 08-4774 GOODHILL ASSOCIATES, et al., Defendants. : ORDER AND NOW, this21 st day of November, 2008, it is ORDERED that this case is REMANDED to the Court of Common Pleas of Delaware County. s/Anita B. Brody	TOWNSHIP OF MARPLE,	:
v. : NO. 08-4774 GOODHILL ASSOCIATES, et al., Defendants. : ORDER AND NOW, this21 st day of November, 2008, it is ORDERED that this case is REMANDED to the Court of Common Pleas of Delaware County. 1	Plaintiff.	:
: NO. 08-4774 GOODHILL ASSOCIATES, et al., : Defendants. : ORDER AND NOW, this21 st day of November, 2008, it is ORDERED that this case is REMANDED to the Court of Common Pleas of Delaware County.¹		: CIVIL ACTION
GOODHILL ASSOCIATES, et al., Defendants.: ORDER AND NOW, this21 st day of November, 2008, it is ORDERED that this case is REMANDED to the Court of Common Pleas of Delaware County. ¹	v.	:
Defendants. : ORDER AND NOW, this21 st day of November, 2008, it is ORDERED that this case is REMANDED to the Court of Common Pleas of Delaware County. 1		: NO. 08-4774
ORDER AND NOW, this21 st day of November, 2008, it is ORDERED that this case is REMANDED to the Court of Common Pleas of Delaware County. ¹	GOODHILL ASSOCIATES, et al.,	:
AND NOW, this21 st day of November, 2008, it is ORDERED that this case i REMANDED to the Court of Common Pleas of Delaware County. ¹	Defendants.	:
AND NOW, this21 st day of November, 2008, it is ORDERED that this case i REMANDED to the Court of Common Pleas of Delaware County. ¹		
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s/Anita B. Brody	REMANDED to the Court of Common Pleas	of Delaware County.1
s/Anita B. Brody		
s/Anita B. Brody		
s/Anita B. Brody		
		s/Anita B. Brody

ANITA B. BRODY, J.

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¹ Regarding a case that has been removed, 28 U.S.C. § 1447(c) provides that "[i]f at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded." Here, this Court lacks subject matter jurisdiction because no diversity exists and the complaint raises no federal question. Plaintiff argues that this Court may exercise federal-question jurisdiction under 28 U.S.C. § 1331 because Defendants' counterclaim under 42 U.S.C. § 1983 raises a federal question. The Supreme Court has clearly held, however, that a federal counterclaim does not create federal-question jurisdiction under § 1331. Holmes Group, Inc. v. Vornado Air Circulation Sys., Inc., 535 U.S. 826, 832 (2002).